

HANDCARRY TO:
U.S. Patent and Trademark Office
Publishing Division
Crystal Park Three
Suite 910
2231 Crystal Park Drive
Arlington, VA 22202

#13 DA 1024
Office of Petition
PATENT
1422-0449P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Eiichi IISHI et al. Conf.:
Appl. No.: 09/697,329 Group: 1624
Filed: October 27, 2000 Examiner: K. HABTE
For: ANHYDROUS MIRTAZAPINE CRYSTALS AND
PROCESS FOR PREPARING THE SAME



REQUEST FOR CONSIDERATION OF
INFORMATION DISCLOSURE STATEMENT
(Submission with Filing of Continuation Application and
Petition to Withdraw Parent Application from Issue)

Assistant Commissioner for Patents
Washington, DC 20231

March 19, 2002

Sir:

The following remarks are respectfully submitted in the
above-identified application.

REMARKS

Claim 7 has been allowed in the present application and the
Issue Fee was paid January 10, 2002.

Enclosed are:

- 1) a Petition under 37 C.F.R. § 1.313(c)(2);
- 2) a REQUEST FOR CONTINUED EXAMINATION (RCE); and
- 3) an Information Disclosure Statement (IDS).

The purpose of the Petition under 37 C.F.R. § 1.313(c)(2) is
to withdraw the application from issue and allow the Examiner to
consider a REQUEST FOR CONTINUED EXAMINATION (RCE) and an

RECEIVED
MAR 21 2002
OFFICE OF PETITIONS

Appl. No. 09/697,329


Information Disclosure Statement (IDS) not previously filed in the application.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Ph.D. (Reg. No. 43,575) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By,  #43575
Gerald M. Murphy, Jr., #28,977 for

GMM/GMD/gh
1422-0449P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Enclosures: IDS, RCE and Petition under 37 C.F.R. §
1.313(c)(2)

(Rev. 02/20/02)